

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
DIVISION

FILED  
2015 DEC 23 AM 10:45  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN

Paul Miller

Name of Plaintiff

v.

Flowserve US Inc.

Name of Defendant(s)

Case No. \_\_\_\_\_  
(To be assigned by Clerk)

Jury Demand ☐ Yes ☒ No

**COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964, and the Civil Rights Act of 1991, for employment discrimination. Jurisdiction is specifically conferred upon the Court by 42 U.S.C. § 2000e-5, or, if the Plaintiff is a federal employee, by 42 U.S.C. § 2000e-16. Relief is sought under 42 U.S.C. § 2000e-5(g) and/or 42 U.S.C. § 1981a(b).

2. Plaintiff, Paul Miller, is a citizen of the United States and resides at  
1444 Shadow Lane Cookeville  
Street address City  
Putnam Tennessee 38501 931-525-1287  
County State Zip Code Telephone Number

3. Defendant, Flowserve US Inc. resides at, or its business is located at  
1978 Foreman Drive Cookeville  
Street address City  
Putnam Tennessee 38501  
County State Zip Code

(If more than one Defendant, list the name and address of each additional Defendant)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Plaintiff sought employment from the Defendant or was employed by the Defendant at

1978 Foreman Drive, Cookeville,  
 Street address City

Putnam, Tennessee, 38501  
 County State Zip Code

5. Defendant discriminated against Plaintiff in the manner indicated in paragraphs 8 and 9 of this Complaint on or about March 04 2015.  
 Month Day Year

6. Plaintiff filed charges against the Defendant with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission charging the Defendant with the acts of discrimination indicated in paragraphs 8 and 9 of this Complaint on or about March 16 2015.  
 Month Day Year

7. The Equal Employment Opportunity Commission or the United States Department of Justice issued a Notice of Right to Sue which was received by Plaintiff on October 01 2015, a copy of which Notice is attached.  
 Month Day Year

8. Because of Plaintiff's (1) DISABILITY race, (2) \_\_\_\_\_ color, (3) \_\_\_\_\_ sex,  
 (4) \_\_\_\_\_ religion, (5) \_\_\_\_\_ national origin, the Defendant:

- a. failed to employ Plaintiff.
- b. YES terminated Plaintiff's employment.
- c. failed to promote Plaintiff.
- d. retaliated against Plaintiff for having filed a charge of discrimination.
- e. \_\_\_\_\_ other. Explain: \_\_\_\_\_

9. The circumstances under which Defendant discriminated against Plaintiff were as follows:

The defendant ignored the plaintiff's requests for accommodation for the plaintiff's disability of fibromyalgia, by interpreting the plaintiff's calm behavior as an inability to handle conflict, by insisting that not working over 40 hours per week was an unwillingness by the plaintiff to show commitment by working unpaid overtime, by calling the plaintiff's refusal to continue to meet with an abusive supervisor who was intensifying the plaintiff's fibromyalgia symptoms as insubordinate behavior, and by terminating the plaintiff for complaining about the situation by making use of a false charge of improper approval of inspection reports and a contrived charge of poor job performance for which there was no evidence aside from the abusive supervisor's allegations on annual performance reviews.

(You may use additional paper, if necessary.)

10. The acts set forth in paragraph 8 of this Complaint:

- a. YES are still being committed by Defendant.
- b. are no longer being committed by Defendant.
- c. \_\_\_\_\_ may still be being committed by Defendant.

11. Plaintiff attaches to this Complaint a copy of the charges filed with the Tennessee Human Rights Commission or the Equal Employment Opportunity Commission, which charges are submitted as a brief statement of the facts supporting this Complaint.

**WHEREFORE**, Plaintiff prays that the Court grant the following relief:

- a. \_\_\_\_\_ direct that Defendant employ Plaintiff, or
- b. YES \_\_\_\_\_ direct that Defendant re-employ Plaintiff, or
- c. \_\_\_\_\_ direct that Defendant promote Plaintiff, or
- d. \_\_\_\_\_ order other equitable or injunctive relief: \_\_\_\_\_

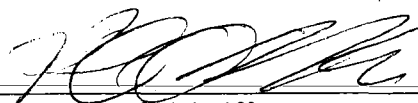
\_\_\_\_\_

- e. YES \_\_\_\_\_ direct that Defendant pay Plaintiff back pay in the amount of \$1556.90 / week since 3/4/2015 \_\_\_\_\_ and interest on back pay;

- f. \_\_\_\_\_ direct that Defendant pay Plaintiff compensatory damages: Specify the amount and basis for compensatory damages: \_\_\_\_\_

\_\_\_\_\_

- g. \_\_\_\_\_ direct that Defendant pay Plaintiff punitive damages in the amount of \_\_\_\_\_ because Defendant engaged in a discriminatory practice or practices with malice or with reckless indifference to Plaintiff's federally protected rights, as described in paragraphs 8 and 9 above; and that the Court grant such other relief as may be appropriate, including costs and attorney's fees.

 12/21/2015  
 \_\_\_\_\_  
 (Signature of Plaintiff)